

HOUSE JOURNAL

SEVENTY-EIGHTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

THIRTEENTH DAY — THURSDAY, FEBRUARY 6, 2003

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 18).

Present — Mr. Speaker; Allen; Alonzo; Bailey; Baxter; Berman; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Laney; Laubenberg; Lewis; Luna; Mabry; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Rangel; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Absent, Excused — Bohac; Cook, R.; Kuempel.

Absent — Farrar; Madden; Solis.

The invocation was offered by Scott McIntosh, senior pastor, Westoak Woods Baptist Church, Austin, as follows:

Our Heavenly Father, what a singular honor these men and women have had bestowed on them by the people of the great State of Texas. They sit on our behalf and make decisions applying to each citizen of this glorious state. As they honor their obligations, may they ever remember your blessings on our state immortalized by song in the words, "Texas, Our Texas! so wonderful, so great! Boldest and grandest, withstanding ev'ry test." May these men and women remain true to our citizens and stand fast in every test of honor, humility, and integrity for your sake and the sake of Texas.

Most gracious God, we humbly thank you for the honor and privilege of living in a free and just nation at large, and the honorable State of Texas in particular. We thank you for the joy that is ours to live in a state where all people are valued no matter what their history, their ethnicity, or their culture. We thank you for justice and mercy that so permeate our lives in this magnanimous state, that we do not walk the streets in fear of our government and all can exercise true participation in that government.

Almighty and everlasting God, we humbly ask you, as for the people of the State of Texas in general, so especially for their representatives in this body assembled, that you would be pleased to direct and prosper all their consultations to the advancement, safety, honor, and welfare of the citizens of Texas. That all things may be so ordered and settled by their endeavors, upon the best and surest foundations, that peace and happiness, truth and justice, may be established among all Texans for all generations. For these and all other necessities, we humbly ask. Amen.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of a death in the family:

Bohac on motion of Casteel.

R. Cook on motion of Geren.

The following member was granted leave of absence temporarily for today because of important business in the district:

Kuempel on motion of Elkins.

CAPITOL PHYSICIAN

The speaker recognized Representative Baxter who presented Dr. Eduardo Sanchez, commissioner, Texas Department of Health of Austin as the "Doctor for the Day."

The house welcomed Dr. Sanchez and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

(Kuempel and Solis now present)

HR 141 - ADOPTED (by Hill)

Representative Hill moved to suspend all necessary rules to take up and consider at this time **HR 141**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 141, Honoring the McDermott Scholars Program.

HR 141 was read and was adopted without objection.

On motion of Representative Truitt, the names of all the members of the house were added to **HR 141** as signers thereof.

HR 131 - ADOPTED
(by J. Jones)

Representative J. Jones moved to suspend all necessary rules to take up and consider at this time **HR 131**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 131, Honoring those individuals who were recognized by the Eta Phi Beta Sorority in Dallas as Unsung Heroes.

(Madden now present)

HR 131 was read and was adopted without objection.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business in the district:

Burnam on motion of Rodriguez.

HR 158 - ADOPTED
(by Wong)

Representative Wong moved to suspend all necessary rules to take up and consider at this time **HR 158**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 158, Honoring Yao Ming of the Houston Rockets on his selection as an NBA Western Conference All-Star.

HR 158 was adopted without objection.

HR 157 - ADOPTED
(by Wong)

Representative Wong moved to suspend all necessary rules to take up and consider at this time **HR 157**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 157, Congratulating Steve Francis of the Houston Rockets on being chosen as a starter for the Western Conference at the 2003 NBA All-Star Game.

HR 157 was adopted without objection.

HR 161 - ADOPTED
(by Delisi)

Representative Delisi moved to suspend all necessary rules to take up and consider at this time **HR 161**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 161, Recognizing the opening of the Hindu Temple of Central Texas.

HR 161 was adopted without objection.

HR 117 - ADOPTED
(by Mercer)

Representative Mercer moved to suspend all necessary rules to take up and consider at this time **HR 117**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 117, Honoring visitors from Air Force Village I and II in San Antonio as they attend Senior Day at the Capitol.

HR 117 was adopted without objection.

HR 162 - ADOPTED
(by Gattis)

Representative Gattis moved to suspend all necessary rules to take up and consider at this time **HR 162**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 162, Honoring Oleta Wise of Milam County on her 95th birthday.

HR 162 was read and was adopted without objection.

HR 126 - ADOPTED
(by Talton)

Representative Talton moved to suspend all necessary rules to take up and consider at this time **HR 126**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 126, Honoring BP Solvay Polyethylene North America for being recognized with the OSHA VPP Star.

HR 126 was read and was adopted without objection.

On motion of Representative Edwards, the names of all the members of the house were added to **HR 126** as signers thereof.

HR 132 - ADOPTED
(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 132**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 132, Congratulating Yvonne Williams on being named an Outstanding Texan by the Texas Legislative Black Caucus.

HR 132 was adopted without objection.

HR 133 - ADOPTED

(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 133**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 133, Congratulating Dr. Stephen Jones of Dallas on being named an Outstanding Texan by the Texas Legislative Black Caucus.

HR 133 was adopted without objection.

HR 134 - ADOPTED

(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 134**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 134, Recognizing John D. Ingram of Dallas on receiving an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 134 was adopted without objection.

HR 135 - ADOPTED

(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 135**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 135, Recognizing Jesse Hornbuckle of Dallas on receiving an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 135 was adopted without objection.

HR 136 - ADOPTED

(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 136**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 136, Recognizing Dr. Wright L. Lassiter, Jr., on receiving an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 136 was adopted without objection.

HR 137 - ADOPTED
(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 137**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 137, Honoring George H. Coleman of Dallas on receiving an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 137 was adopted without objection.

HR 145 - ADOPTED
(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 145**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 145, Honoring Veronica S. Graham on receiving the Future African American Leadership Award from the Texas Legislative Black Caucus.

HR 145 was adopted without objection.

HR 146 - ADOPTED
(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 146**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 146, Honoring Chae'dria L. Robinson on receiving the Future African American Leadership Award from the Texas Legislative Black Caucus.

HR 146 was adopted without objection.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 4 and Senate List No. 3).

HR 147 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 147**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 147, Honoring Claudette Cochrane Lewis of San Antonio on her receipt of an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 147 was adopted without objection.

HR 148 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 148**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 148, Congratulating the Reverend Dr. E. Thurman Walker of San Antonio on his receipt of an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 148 was adopted without objection.

HR 149 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 149**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 149, Congratulating Veatrice Williams on her receipt of an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 149 was adopted without objection.

HR 150 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 150**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 150, Recognizing Ira Smith, Jr., of San Antonio as an Outstanding Texan.

HR 150 was adopted without objection.

HR 151 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 151**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 151, Honoring Rahshied Carr of San Antonio on his receipt of an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 151 was adopted without objection.

HR 152 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 152**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 152, Honoring Eugene Everett Coleman of San Antonio on his receipt of an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 152 was adopted without objection.

HR 153 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 153**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 153, Congratulating Ashley Phillips on her receipt of an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 153 was adopted without objection.

HR 154 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 154**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 154, Congratulating Jelynn LeBlanc Burley on her receipt of an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 154 was adopted without objection.

(Farrar now present)

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

HR 163 - ADOPTED
(by Giddings)

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HR 163**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 163, Congratulating Marquita Christian of Hutchins on being named an Outstanding Texan by the Texas Legislative Black Caucus.

HR 163 was adopted without objection.

HR 164 - ADOPTED
(by Giddings)

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HR 164**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 164, Honoring Willis Johnson of Dallas on his receipt of an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 164 was adopted without objection.

HR 165 - ADOPTED
(by Giddings)

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HR 165**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 165, Recognizing Ocie High on receiving an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 165 was adopted without objection.

HR 166 - ADOPTED
(by Giddings)

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HR 166**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 166, Honoring Ashley Richard of DeSoto for receiving an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 166 was adopted without objection.

HR 167 - ADOPTED
(by Giddings)

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HR 167**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 167, Honoring Curtis E. Ransom of Coppell on receiving an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 167 was adopted without objection.

HR 168 - ADOPTED
(by Giddings)

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HR 168**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 168, Honoring Chief Terrell Bolton of Dallas on his receipt of an Outstanding Texan Award in the area of public safety from the Texas Legislative Black Caucus.

HR 168 was adopted without objection.

HR 169 - ADOPTED
(by Giddings)

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HR 169**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 169, Honoring Dr. Jesse Jai McNeil, Jr., on his receipt of an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 169 was adopted without objection.

HR 170 - ADOPTED
(by Giddings)

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HR 170**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 170, Congratulating Patrick Williams of DeSoto on his receipt of an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 170 was adopted without objection.

HR 171 - ADOPTED
(by Giddings)

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HR 171**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 171, Recognizing Kathy Nealy of Dallas on receiving an Outstanding Texan Award from the Texas Legislative Black Caucus.

HR 171 was adopted without objection.

PROCLAMATION BY THE SPEAKER
JOINT APPOINTMENT TO THE
GULF STATES MARINE FISHERIES COMMISSION

The chair laid out and had read the following proclamation from the speaker:

The speaker announces the joint appointment by the speaker and the lieutenant governor of the Honorable Gene Seaman of Nueces County to the Gulf States Marine Fisheries Commission, pursuant to Section 91.001, Parks and Wildlife Code.

February 5, 2003

Tom Craddick
Speaker of the House

PROCLAMATION BY THE SPEAKER
APPOINTMENT TO ELECTRIC UTILITY
RESTRUCTURING OVERSIGHT COMMITTEE

The chair laid out and had read the following proclamation from the speaker:

Pursuant to Section 39.907, Utilities Code, I, Tom Craddick, speaker of the house, hereby appoint the following members of the house to the Electric Utility Restructuring Oversight Committee, for terms expiring August 31, 2003: Representatives Wolens, joint chair; King and Marchant.

The appointment of the joint chair is pursuant to Rule 1, Section 1, House Rules and the Statement of Authorization and Precedence, notwithstanding the provisions of Section 39.907, Utilities Code, due to a change in committee jurisdiction under the House Rules for the 78th Legislature.

February 5, 2003

Tom Craddick
Speaker of the House

BILLS REASSIGNED

The chair returned **HB 707** to the chief clerk because it does not contain an enacting clause. Because the bill does not contain an enacting clause, it does not comply with the House Rules and therefore cannot be referred to a committee.

The chair authorized the chief clerk to reassign the next bill as **HB 707**.

PROVIDING FOR ADJOURNMENT

Representative Harper-Brown moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 3 p.m. Monday, February 10 in memory of Charles Polk Player of Dallas.

The motion prevailed without objection.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. (See the addendum to the daily journal, Referred to Committees, List Nos. 1 and 2.)

(Harper-Brown in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 11:12 a.m., adjourned until 3 p.m. Monday, February 10.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 1 (By Heflin), General Appropriations Bill.
To Appropriations.

HB 151 (By Farabee), Relating to offenses involving dogs that are a danger to livestock and other animals.
To Agriculture and Livestock.

HB 152 (By Wilson), Relating to certain life insurance policies insuring the life of an employee.
To Insurance.

HB 153 (By Woolley), Relating to the amount of the fee for the registration of an engineering firm.
To Licensing and Administrative Procedures.

HB 154 (By Woolley), Relating to personal finance education as a requirement for graduation from public high school.
To Public Education.

HB 155 (By West), Relating to prohibiting a sex offender from owning or serving in certain capacities on behalf of a sexually oriented business; creating an offense and providing a penalty.

To Criminal Jurisprudence.

HB 156 (By Krusee), Relating to the grant of the power of eminent domain to a regional mobility authority.

To Transportation.

HB 157 (By Krusee), Relating to the authority of a regional mobility authority to issue turnpike revenue bonds.

To Transportation.

HB 158 (By Krusee), Relating to the authority of the Texas Department of Transportation to charge a fee for transportation of utility service and placement of facilities along the Trans-Texas Corridor.

To Transportation.

HB 159 (By Krusee), Relating to the authority of the Texas Department of Transportation or a regional mobility authority to purchase or condemn real property for the Trans-Texas Corridor.

To Transportation.

HB 160 (By Krusee), Relating to the authority of the Texas Department of Transportation to offer royalty interests as consideration for property acquired for the Trans-Texas Corridor.

To Transportation.

HB 161 (By Flores), Relating to the exemption of certain travel trailers from ad valorem taxation.

To Local Government Ways and Means.

HB 162 (By Flores), Relating to the requirements for a petition to change the name of an adult.

To Juvenile Justice and Family Issues.

HB 163 (By Flores), Relating to special license plates for active and retired members of the Texas National Guard, Texas State Guard, or United States Armed Forces Reserves.

To Defense Affairs and State-Federal Relations.

HB 164 (By Truitt), Relating to the rates at which the municipal sales and use tax for street maintenance may be imposed.

To Local Government Ways and Means.

HB 165 (By Uresti), Relating to excepting military discharge records from required public disclosure and providing that only the veteran and the veteran's immediate family may inspect or obtain copies of the records.

To Defense Affairs and State-Federal Relations.

HB 166 (By Griggs), Relating to a virtues education program in public schools.

To Public Education.

HB 167 (By Homer, Merritt, McClendon, Hopson, et al.), Relating to the observance of one minute of silence during the school day in public schools.
To Public Education.

HB 168 (By Christian), Relating to enforcement actions initiated by the Texas Natural Resource Conservation Commission based on information received from a private individual.
To Natural Resources.

HB 169 (By Christian), Relating to the capitalization rate used in the ad valorem tax appraisal of qualified timber land.
To Local Government Ways and Means.

HB 170 (By Keel), Relating to compensation under the Crime Victims' Compensation Act for necessary costs incurred in witnessing an execution.
To Criminal Jurisprudence.

HB 171 (By Keel), Relating to the authority of a district court to order the expunction of arrest records and files for certain persons.
To Criminal Jurisprudence.

HB 172 (By Keel), Relating to securing the appearance of certain persons who have been released on bail; providing a criminal penalty.
To Criminal Jurisprudence.

HB 173 (By Griggs), Relating to the use of electronic textbooks in public schools.
To Public Education.

HB 174 (By Howard), Relating to benefits for members of the state military forces called to active state duty.
To Defense Affairs and State-Federal Relations.

HB 175 (By Howard), Relating to the creation of an offense prohibiting the unsolicited transmission of depictions of sexual conduct.
To Criminal Jurisprudence.

HB 176 (By McCall), Relating to the contents of a receipt issued for payment of a good or service by debit or credit card; providing a civil penalty.
To Business and Industry.

HB 177 (By McCall), Relating to the regulation of certain international matchmaking organizations; providing a civil penalty.
To Business and Industry.

HB 178 (By Ellis), Relating to immunity for certain governmental employees for an act or omission committed while supervising an inmate or offender program or activity.
To Corrections.

HB 179 (By Ellis), Relating to the qualification of a county fair association for an ad valorem tax exemption.
To Local Government Ways and Means.

HB 180 (By Ellis), Relating to a lien on a cause of action or claim of an individual who receives certain medical services.

To Business and Industry.

HB 181 (By Farrar), Relating to the disclosure of certain criminal history record information related to an individual placed on deferred adjudication community supervision.

To Criminal Jurisprudence.

HB 182 (By Callegari), Relating to the statute of limitations for the offense of arson.

To Criminal Jurisprudence.

HB 183 (By Merritt), Relating to a requirement that the Bureau of Economic Geology of The University of Texas at Austin conduct a study of the East Texas Oil Field.

To Energy Resources.

HB 184 (By Merritt and Homer), Relating to the application of the sales tax to United States and Texas flags.

To Ways and Means.

HB 185 (By Merritt), Relating to creating September 11th Remembrance Day.

To State Affairs.

HB 186 (By King), Relating to the powers and duties of a regional mobility authority, including the power to issue bonds and the power of eminent domain.

To Transportation.

HB 187 (By King), Relating to the authority of the Texas Department of Transportation to charge a fee for transportation of utility service and placement of facilities along the Trans-Texas Corridor.

To Transportation.

HB 188 (By King), Relating to the authority of the Texas Department of Transportation to purchase or condemn real property for the Trans-Texas Corridor.

To Transportation.

HB 189 (By King), Relating to a royalty interest as consideration for property acquired for the Trans-Texas Corridor.

To Transportation.

HB 190 (By King), Relating to the authority of the Texas Department of Transportation to contract using exclusive development agreements.

To Transportation.

HB 191 (By Hodge), Relating to the application of laws awarding credit to an inmate for time between release on and subsequent revocation of parole, mandatory supervision, or conditional pardon.

To Corrections.

HB 192 (By Hodge), Relating to reviews by the Texas Department of Criminal Justice on the effect of race and ethnicity on decisions relating to good conduct time classifications and disciplinary matters.

To Corrections.

HB 193 (By Pitts), Relating to the number of members of an appraisal review board.

To Local Government Ways and Means.

HB 194 (By Talton), Relating to disqualifying certain persons from serving as foster parents.

To Juvenile Justice and Family Issues.

HB 195 (By Griggs), Relating to the collection and distribution of delinquent ad valorem taxes imposed by county education districts.

To Public Education.

HB 196 (By B. Cook), Relating to the abolition of the County Court at Law of Navarro County.

To Judicial Affairs.

HB 197 (By Wohlgemuth, Delisi, Capelo, et al.), Relating to health care liability claims.

To Civil Practices.

HB 198 (By Berman), Relating to allowing a veteran to remove from the county clerk's possession all copies of a military discharge record the veteran has recorded with the county clerk.

To Defense Affairs and State-Federal Relations.

HB 199 (By Berman), Relating to excepting from required public disclosure a military discharge record that a veteran has recorded with the county clerk.

To Defense Affairs and State-Federal Relations.

HB 200 (By Berman), Relating to the authority of a municipality to implement a photographic traffic signal enforcement system; providing for the imposition of civil penalties and providing a criminal penalty.

To Transportation.

HB 201 (By Berman), Relating to the issuance of emergency medical services personnel license plates.

To Transportation.

HB 202 (By Berman), Relating to the imposition of the motor vehicle sales tax on vehicles used by nonprofit organizations for disaster relief or other humanitarian purposes.

To Ways and Means.

HB 203 (By Berman), Relating to the confidentiality of certain home address information in ad valorem tax appraisal records.

To State Affairs.

HB 204 (By Berman), Relating to the offense of theft of service in connection with the rental of certain property.

To Criminal Jurisprudence.

HB 205 (By Berman), Relating to motor vehicle liability insurance requirements for certain drivers.

To Insurance.

HB 206 (By Puente), Relating to the protection of the natural condition of the beds and banks of state-owned watercourses; providing civil and criminal penalties.

To Natural Resources.

HB 207 (By Puente), Relating to a defendant's right to appear by counsel in certain misdemeanor cases.

To Criminal Jurisprudence.

HB 208 (By Puente), Relating to persons who may obtain a mechanic's lien on real property.

To Business and Industry.

HB 209 (By Puente), Relating to authorizing the Texas Lottery Commission to participate in a multijurisdiction lottery game.

To State Affairs.

HB 210 (By Hochberg), Relating to prohibiting jury-recommended or deferred adjudication community supervision for a defendant convicted of murder.

To Criminal Jurisprudence.

HB 211 (By F. Brown), Relating to the purchase of insurance by certain municipalities through competitive bidding and proposal procedures.

To Urban Affairs.

HB 212 (By Keel), Relating to the regulation of political signs by a municipality.

To Urban Affairs.

HB 213 (By Keel), Relating to the compensation of district judges in Travis County.

To Judicial Affairs.

HB 214 (By McCall), Relating to participation in school district services and activities by home-schooled students.

To Public Education.

HB 215 (By Hamric), Relating to the regulation of fireworks by certain counties; providing a criminal penalty.

To County Affairs.

HB 216 (By Hamric), Relating to the qualification of a disabled person for an exemption from ad valorem taxation on the person's residence homestead.

To Local Government Ways and Means.

HB 217 (By Hamric), Relating to limiting the amount of school district ad valorem taxes that may be imposed on the residence homestead of a disabled person.

To Local Government Ways and Means.

HB 218 (By Berman), Relating to the punishment for a student who shoots or assaults another student.

To Public Education.

HB 219 (By Hope, et al.), Relating to the display of the United States national motto in public elementary and secondary schools and institutions of higher education.

To State Affairs.

HB 220 (By Hupp), Relating to the confidentiality of certain records maintained by the Department of Public Safety regarding persons licensed to carry a concealed handgun.

To Law Enforcement.

HB 221 (By Goodman), Relating to the exemption from registration with the Board of Tax Professional Examiners for certain county assessor-collectors.

To Local Government Ways and Means.

HB 222 (By Farabee), Relating to lowering the use tax on vehicles brought into this state by certain military personnel.

To Ways and Means.

HB 223 (By Bailey), Relating to the authority of certain counties to enact noise regulations; providing a criminal penalty.

To County Affairs.

HB 224 (By T. Smith), Relating to deposition fees charged by certain physicians.

To Civil Practices.

HB 225 (By T. Smith), Relating to an exemption from the sales and use tax for food sold during certain athletic events.

To Ways and Means.

HB 226 (By T. Smith), Relating to the authority of the Department of Public Safety and certain local law enforcement agencies to establish a checkpoint on a highway or street to determine whether persons are driving while intoxicated.

To Criminal Jurisprudence.

HB 227 (By Keel), Relating to certain notice requirements in a court order providing for the possession of or access to a child.

To Juvenile Justice and Family Issues.

HB 228 (By Keel), Relating to the circumstances in which municipal consent is required for the creation of a library district.

To State Cultural and Recreational Resources.

HB 229 (By Grusendorf), Relating to contributions by school districts and the state to the Teacher Retirement System of Texas for members whose salaries exceed statutory minimums.

To Pensions and Investments.

HB 230 (By Nixon), Relating to participation in University Interscholastic League activities.

To Public Education.

HB 231 (By Eiland), Relating to structures that constitute insurable property under the Texas Windstorm Insurance Association.

To Insurance.

HB 232 (By Eiland), Relating to public school finance.

To Public Education.

HB 233 (By Goodman), Relating to standing to file a suit requesting termination of the parent-child relationship or adoption.

To Juvenile Justice and Family Issues.

HB 234 (By Goodman), Relating to the payment of support for a child after the child's 18th birthday.

To Juvenile Justice and Family Issues.

HB 235 (By West and Allen), Relating to the prosecution and punishment of the offense of obscene display or distribution and to certain consequences of a conviction for that offense.

To Criminal Jurisprudence.

HB 236 (By West and Allen), Relating to the punishment for the offense of obscenity and to certain consequences related to a conviction for an offense involving obscenity.

To Criminal Jurisprudence.

HB 237 (By West and Allen), Relating to evidence offered in the prosecution of the offense of child pornography.

To Criminal Jurisprudence.

HB 238 (By Miller and Swinford), Relating to regulation of plumbing performed outside municipalities and inside municipalities of fewer than 5,000 people.

To Licensing and Administrative Procedures.

HB 239 (By Miller), Relating to an open enrollment for certain participants in the Texas Public School Retired Employees Group Insurance Program.

To Pensions and Investments.

HB 240 (By Miller), Relating to the punishment for criminal mischief committed by intentionally introducing infectious diseases into livestock.

To Agriculture and Livestock.

HB 241 (By Seaman), Relating to notice of certain changes in residential property insurance coverage on renewal.

To Insurance.

HB 242 (By Seaman), Relating to career and technology education and training.

To Public Education.

HB 243 (By Allen), Relating to the possession or carrying of weapons on certain premises associated with a school or educational institution; providing penalties.

To Criminal Jurisprudence.

HB 244 (By Allen), Relating to the publication of information regarding certain registered sex offenders.

To Criminal Jurisprudence.

HB 245 (By J. Keffer), Relating to the disposition by counties of motor vehicle registration fees and sales tax revenue.

To Ways and Means.

HB 246 (By Allen, Olivo, Hupp, Wohlgemuth, et al.), Relating to the death of or injury to an unborn child; providing penalties.

To State Affairs.

HB 247 (By Pitts), Relating to collection of a check processing fee on behalf of a holder of a dishonored check.

To Criminal Jurisprudence.

HB 248 (By Goolsby), Relating to bullying as a ground for removing a public school student from class and placing the student in an alternative education program.

To Public Education.

HB 249 (By Goolsby), Relating to the returned check fee collected by a county clerk.

To County Affairs.

HB 250 (By E. Jones), Relating to the small and mid-sized district adjustment under the public school finance system.

To Public Education.

HB 639 (By Smithee), Relating to rate information to be filed by certain insurers of residential property; providing an administrative penalty.

To Insurance.

HB 667 (By Puente, et al.), Relating to the use of appropriations in the Smart Jobs Fund as business location incentives.

To Economic Development.

List No. 2

HB 251 (By E. Jones), Relating to the equalized wealth level under the public school finance system.

To Public Education.

HB 252 (By Bonnen and Hopson), Relating to vehicles passing certain stationary emergency vehicles on a highway.

To Transportation.

HB 253 (By Chisum), Relating to granting, renewing, or amending a license or registration under the Texas Radiation Control Act.

To Environmental Regulation.

HB 254 (By Kolkhorst and Rose), Relating to venue in the prosecution of the offense of fraudulent use or possession of identifying information.

To Criminal Jurisprudence.

HB 255 (By Hochberg), Relating to exempting peace officers enrolled in law enforcement programs from tuition charged by a public institution of higher education.

To Higher Education.

HB 256 (By Hochberg), Relating to excused absences for religious holy days for students in institutions of higher education.

To Higher Education.

HB 257 (By Pickett), Relating to the impoundment of a motor vehicle for failure to maintain financial responsibility for the vehicle.

To Insurance.

HB 258 (By Pickett), Relating to correcting errors in the distribution of benefits by a public retirement system.

To Pensions and Investments.

HB 259 (By Riddle), Relating to the use of certain insurance underwriting guidelines based on credit scores; providing penalties.

To Insurance.

HB 260 (By Riddle), Relating to posting requirements for certain personal fitness instructors.

To Licensing and Administrative Procedures.

HB 261 (By Hupp), Relating to the eligibility of armed forces personnel and their family members to pay tuition and fees at the rate provided to Texas residents.

To Defense Affairs and State-Federal Relations.

HB 262 (By Wolens), Relating to the funding of convention center hotel facilities in certain municipalities.

To Economic Development.

HB 263 (By Goodman), Relating to the establishment and operation of children's advocacy centers.

To Juvenile Justice and Family Issues.

HB 264 (By F. Brown), Relating to supplemental contributions to the optional retirement program by institutions of higher education.

To Pensions and Investments.

HB 265 (By Thompson), Relating to the use of credit scoring in the underwriting and rating of personal automobile and residential property insurance.

To Insurance.

HB 266 (By Naishtat), Relating to restrictions on payment of certain loans with political contributions.
To Elections.

HB 267 (By Naishtat), Relating to an increase in the cigarette tax and to the use of that increase for certain health and human services programs.
To Ways and Means.

HB 268 (By Naishtat), Relating to application of the hazing statutes to private institutions of higher education; providing penalties.
To Higher Education.

HB 269 (By Naishtat), Relating to the victim's statement regarding the impact of an offense in certain sexual assault cases.
To Criminal Jurisprudence.

HB 270 (By Naishtat), Relating to the collection, analysis, and dissemination of information relating to certain sexual offenses.
To Criminal Jurisprudence.

HB 271 (By Naishtat), Relating to grand juror training regarding sexual assault issues.
To Criminal Jurisprudence.

HB 272 (By Naishtat), Relating to training regarding sexual assault for a judge or judicial officer.
To Judicial Affairs.

HB 273 (By Naishtat), Relating to forensic evidence training for students enrolled in certain medical or nursing degree programs.
To Higher Education.

HB 274 (By Keel), Relating to the prosecution of the offense of harassment by persons in certain correctional facilities.
To Corrections.

HB 275 (By Keel), Relating to the prosecution of theft of service.
To Criminal Jurisprudence.

HB 276 (By Goodman), Relating to the award of attorney's fees and costs in an action against a fraudulent transfer.
To Business and Industry.

HB 277 (By Hopson and Naishtat), Relating to the contents of a receipt or other document issued for payment by debit or credit card; providing a civil penalty.
To Business and Industry.

HB 278 (By P. Moreno), Relating to the creation of a ballistics database for use by law enforcement officials; creating an offense.
To Law Enforcement.

HB 279 (By P. Moreno), Relating to the establishment in certain municipalities of boards to receive and act on complaints of police misconduct.
To Urban Affairs.

HB 280 (By P. Moreno), Relating to the overpayment of benefits by a public retirement system in reliance on an audit.

To Pensions and Investments.

HB 281 (By P. Moreno), Relating to an offense of using a telephone while operating a motor vehicle.

To State Affairs.

HB 282 (By P. Moreno), Relating to the authority of a county or municipality to alter speed limits on roadways in the county or municipality and to place and maintain traffic-control devices on those roadways.

To Transportation.

HB 283 (By Puente), Relating to the making of political contributions to or the acceptance of political contributions by statewide officeholders and members of the legislature during the period in which the governor may veto a bill.

To Elections.

HB 284 (By Ellis), Relating to the applicability of the offense of unlawfully carrying a weapon to certain persons carrying a weapon in a recreational vehicle.

To Criminal Jurisprudence.

HB 285 (By Ellis), Relating to the amount of hazardous duty pay for certain state employees.

To Appropriations.

HB 286 (By Ellis), Relating to exempting textbooks for university and college courses from the sales tax.

To Ways and Means.

HB 287 (By Ellis), Relating to qualifications of a constable or sheriff.

To Law Enforcement.

HB 288 (By Oliveira), Relating to wage rates paid by or on behalf of certain school districts on public works projects.

To Public Education.

HB 289 (By Chisum), Relating to a disclosure of a financial interest by a committee member or the executive director of the Office of Rural Community Affairs.

To Land and Resource Management.

HB 290 (By Coleman), Relating to removal of corneal tissue from a decedent.

To Public Health.

HB 291 (By Talton), Relating to the qualifications for membership on the Board of Pardons and Paroles.

To Corrections.

HB 292 (By Reyna), Relating to the taking of a specimen of a person's breath or blood in connection with certain alcohol-related offenses.

To Criminal Jurisprudence.

HB 293 (By Wilson), Relating to creation of a public education voucher pilot program for certain children.

To Public Education.

HB 294 (By J. Davis, et al.), Relating to recognizing March as Texas History Month.

To State Cultural and Recreational Resources.

HB 295 (By T. Smith), Relating to the security required to contest an application for certain alcoholic beverage licenses.

To Licensing and Administrative Procedures.

HB 296 (By Goodman), Relating to petition requirements for an application for a place on the general primary election ballot for certain judicial candidates.

To Judicial Affairs.

HB 297 (By Goodman), Relating to the duration and effect of a magistrate's order for emergency protection.

To Juvenile Justice and Family Issues.

HB 298 (By Miller), Relating to prohibiting the Parks and Wildlife Department from disclosing to the public certain personal information about persons to whom the department has issued a license.

To State Affairs.

HB 299 (By Nixon), Relating to a landlord's duty to mitigate damages under certain circumstances.

To Business and Industry.

HB 300 (By Goolsby), Relating to use of safety belts and child passenger safety seat systems.

To Transportation.

HB 301 (By Talton), Relating to the eligibility of certain persons to represent a person before the Board of Pardons and Paroles or a parole panel.

To Corrections.

HB 302 (By Talton), Relating to settlement of certain liability claims under an auto insurance policy.

To Insurance.

HB 303 (By T. Smith), Relating to Celebrate Freedom Week in public schools.

To Public Education.

HB 304 (By T. Smith and E. Jones), Relating to state assessment of public school students in science in the eighth grade.

To Public Education.

HB 305 (By Puente), Relating to the protection of public freshwater areas; providing a penalty.

To State Cultural and Recreational Resources.

HB 306 (By Denny), Relating to certain local option elections for certain cities located in more than one county.

To Licensing and Administrative Procedures.

HB 307 (By Denny), Relating to the availability of certain records pertaining to ballots to be voted by mail.

To Elections.

HB 308 (By Denny), Relating to exempting school supplies, textbooks, books, and other instructional materials from the sales tax for a limited period.

To Ways and Means.

HB 309 (By Villarreal), Relating to public school prekindergarten programs.

To Public Education.

HB 310 (By Villarreal), Relating to the financing of campaigns for certain local government offices; providing criminal penalties.

To Elections.

HB 311 (By Villarreal), Relating to the regulation of licensed vocational nurses.

To Public Health.

HB 312 (By Villarreal), Relating to the accrual of interest on overdue child support.

To Juvenile Justice and Family Issues.

HB 313 (By Merritt), Relating to the repeal of the state inheritance tax.

To Ways and Means.

HB 314 (By T. Smith), Relating to the guidelines for determining monthly child support.

To Juvenile Justice and Family Issues.

HB 315 (By Nixon), Relating to a statute of repose for certain malpractice suits against attorneys.

To Civil Practices.

HB 316 (By Grusendorf), Relating to the allotment of funds for programs for gifted and talented students.

To Public Education.

HB 317 (By Grusendorf), Relating to teacher mentor and induction programs in public schools.

To Public Education.

HB 318 (By Grusendorf), Relating to certification to teach school of individuals who hold bachelor's degrees.

To Public Education.

HB 319 (By Grusendorf), Relating to the objectives of public education.

To Public Education.

HB 320 (By Grusendorf), Relating to the refusal to administer or consent to the administration of certain psychiatric or psychological treatment to a child.
To Juvenile Justice and Family Issues.

HB 321 (By Wolens), Relating to additional court filing fees to pay operating expenses of the courts of appeals.
To Ways and Means.

HB 322 (By Noriega), Relating to the use of sick and annual leave benefits by a state employee who sustains a compensable injury.
To Business and Industry.

HB 323 (By Grusendorf), Relating to the suspension without pay of public school teachers.
To Public Education.

HB 324 (By Berman), Relating to the application of fishing and hunting license requirements to a person at least 70 years of age.
To State Cultural and Recreational Resources.

HB 325 (By McCall), Relating to the punishment for the offense of failure to identify.
To Law Enforcement.

HB 326 (By McCall), Relating to the creation of additional judicial districts composed of Collin County.
To Judicial Affairs.

HB 327 (By McCall), Relating to the creation of an additional county court at law in Collin County.
To Judicial Affairs.

HB 328 (By Chisum), Relating to certain information that may be obtained by a prospective employer from an applicant for employment.
To Business and Industry.

HB 329 (By Naishtat and Seaman), Relating to the regulation of mold assessors and remediators; providing civil and administrative penalties.
To Licensing and Administrative Procedures.

HB 330 (By Hochberg), Relating to notice of premium rate increase of certain property and casualty insurers.
To Insurance.

HB 331 (By Hochberg), Relating to credit scoring in underwriting and rating certain consumer lines of insurance coverage; providing a penalty.
To Insurance.

HB 332 (By Hochberg), Relating to participation by private school students in University Interscholastic League sponsored activities.
To Public Education.

HB 333 (By Pickett), Relating to the recall of a member of the board of trustees of an independent school district.
To Public Education.

HB 334 (By Villarreal), Relating to the adoption and enforcement of a rehabilitation code and a building code by municipalities and counties.

To Land and Resource Management.

HB 335 (By Hamric), Relating to the eligibility of persons to participate in the public sale of certain real property; providing penalties.

To Civil Practices.

HB 336 (By Olivo), Relating to the requirements for a high school diploma.

To Public Education.

HB 337 (By Olivo), Relating to alternative compensatory criteria for promotion to certain grade levels in public school.

To Public Education.

HB 338 (By B. Cook), Relating to the abolition of the County Court at Law of Navarro County.

To Judicial Affairs.

HB 339 (By Oliveira), Relating to the compensation of presiding judges of administrative judicial regions.

To Judicial Affairs.

HB 340 (By Uresti), Relating to the regulation of dextromethorphan; providing administrative, civil, and criminal penalties.

To Public Health.

HB 341 (By Uresti), Relating to parenting and crisis counseling information to be provided to a pregnant woman.

To State Affairs.

HB 342 (By Uresti), Relating to the sale, distribution, possession, purchase, consumption, or receipt of cigarettes or tobacco products to or by a person under 21 years of age; providing a penalty.

To Public Health.

HB 343 (By Dutton), Relating to the abolition of the death penalty.

To Criminal Jurisprudence.

HB 344 (By Dutton), Relating to the suspension of an obligor's child support obligations during certain periods.

To Juvenile Justice and Family Issues.

HB 345 (By Dutton), Relating to the abolition of the death penalty.

To Criminal Jurisprudence.

HB 346 (By Dutton), Relating to the period during which a person may be confined for contempt of court.

To Judicial Affairs.

HB 347 (By Dutton), Relating to sanctions imposed on low-performing public schools.

To Public Education.

HB 348 (By Dutton), Relating to participation in the Teacher Retirement System of Texas by employees of certain campus or campus program charter schools.

To Public Education.

HB 349 (By Dutton), Relating to the waiver of jurisdiction and discretionary transfer to criminal court by a juvenile court.

To Juvenile Justice and Family Issues.

HB 350 (By Dutton), Relating to participation in cooperative career and technology education programs by certain high school students.

To Public Education.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 4

HCR 23

Senate List No. 3

SCR 2

MESSAGE FROM THE SENATE

The following message from the senate was today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Thursday, February 6, 2003

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HCR 35

Marchant

SPONSOR: Wentworth

Inviting the Governor to address a joint session of the legislature on Tuesday, February 11, 2003, at 11:30 a.m.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

ENROLLED

February 4 - HCR 23

SENT TO THE GOVERNOR

February 5 - HCR 31, HCR 32

SIGNED BY THE GOVERNOR

February 5 - HCR 26

